

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

FIRST NONPROFIT INSURANCE COMPANY a/s/o SELF HELP MOVEMENT, INC. Plaintiff v. MEENAN OIL LLC and LIMBACH CONSTRUCTION Defendants	CIVIL ACTION No. 20-cv-477-MMB
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ORDER RE: DEFENDANT MEENAN'S MOTION TO DISMISS

AND NOW, this 26th day of May, 2020, upon consideration of Defendant Meenan Oil's Motion to Dismiss, (ECF 2), Plaintiff's Opposition, (ECF 4), Defendant Meenan's Reply, (ECF 5), and Plaintiff's Sur-Reply, (ECF 6-1), and for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED** that:

1. Defendant Meenan's Motion to Dismiss, (ECF 2), is **GRANTED** as to Count I and **DENIED** as to Count II.
2. Count I is **DISMISSED** without prejudice. Plaintiff may file an amended complaint within thirty (30) days.

BY THIS COURT:

s/ Michael M. Baylson

Michael M. Baylson
United States District Court Judge